

Higgins & Allmand, PC
 112 Goliad St.
 Benbrook, TX 76126

Phone: (214) 265-0123
 Bar Number: 24043824

**IN THE UNITED STATES BANKRUPTCY COURT
 NORTHERN DISTRICT OF TEXAS
 FORT WORTH DIVISION**

IN RE: §
 (H) **Kenneth Craig Marks** § CASE NO: **05-91182**
 (W) **Pamela Sue Marks** §
 Debtor(s) §
 §

FOR CLERK'S USE ONLY

DEBTOR'S PRELIMINARY CHAPTER 13 PLAN

DATED: **12/1/2004**.

TRUSTEE'S NOTES:		Date Case Filed	10/3/2005
		Type of Payment 1=Annual, 2=Semi-Annual 4=Quarterly, 12=Monthly	12
		First Payment Due	1/15/2005
H&W Monthly Take Home Pay	\$3,195.91	Periodic Payment Amount	\$900.00
Less Expenses	\$2,295.91	Number of Plan Payments	60 months
Equals Surplus	\$900.00	Equals Base Plan Amount	\$54,000.00
		Calculated Amount	\$54,000.00
Total Debtor Attorney Fees	\$2,000.00	Noticing Fees: # of Notices X 1 The Trustee shall be allowed to collect noticing fees from the first distribution to creditors.	
Attorney Fees paid by Trustee (Gross amount paid including interest, if any)	\$1,794.00		
Total Filing Fees of <u>\$194.00</u> with	\$0.00 paid by Trustee	Rate	\$1.05
		Total Noticing Fees	\$14.70

HOME MORTGAGE:

Regular mortgage payments on all liens to be paid "Direct" by Debtor beginning on **11/1/2005**.

Arrearages are to be paid by the Trustee as follows:

Lien Holder	Total Arrearage	Through MM/DD/YY	Interest Rate	Payment Term	# of Payments	Periodic Payment Amount
Washington Mutual	\$22,773.39		8%	1-60	60	Pro-Rata

SECURED CREDITORS:

Name	Description of Collateral	Scheduled Amount	Value of Collateral	Annual Int. Rate	Term	# of Pmts.	CD	Periodic Payment Amount
First Investors Servicing Corp	2003 Toyota Camry	\$19,646.79	\$15,810.01	6.5%	1-46	46	1	\$389.65
Ford Credit	1998 Chevrolet Silverado	\$12,000.00	\$11,176.00	0%	N/A	N/A	0	Surrender
Washington Mutual	Residence	\$105,000.00	\$102,200.00	0%	N/A	N/A	0	\$1,020.86 (Direct)

CD..... 0 = Direct or Surrender, 1 = Paid by Trustee (Any Deficiency will automatically be bifurcated or "split" and included in the unsecured class)

* See Pro Forma, if attached, for a detail of Pro-Rata and/or Variable payments.

Computer software provided by LegalPRO Systems, Inc., San Antonio, Texas - (210) 561-5300.

(H) Kenneth Craig Marks
 (W) Pamela Sue Marks
 (C#) 05-91182

DEBTOR'S PRELIMINARY CHAPTER 13 PLAN

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EXECUTORY CONTRACTS AND UNEXPIRED LEASES:

Creditor Name	Description of Contract	Election	In Default
(None)			
			No

PRIORITY CREDITORS:

Name	Amount Disputed	Scheduled Amount	Annual Int. Rate	Term	# of Pmts.	Periodic Payment Amount
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SPECIAL CLASS UNSECURED CREDITORS:

Name	Basis for Classification	Scheduled Amount	Annual Int. Rate	Term	# of Pmts.	Periodic Payment Amount
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GENERAL UNSECURED CREDITORS:

The general unsecured creditors, listed below, will receive an estimated 7% of their claims, or a pro rata share of Total Payments (Base Plan Amount) shown above, after all of the above claims are paid in full.

Name	Note	Amount
ADT		\$104.00
Chevron		\$300.14
First Investors Servicing Corporation	Deficiency	\$3,836.78
Ford Credit	Deficiency	\$824.00
Frost National Bank		\$156.96
Justice Finance		\$196.00
Providian		\$1,129.63
Sears		\$422.71
Target National Bank		\$540.56
Washington Mutual		\$592.75

Total Unsecured Debt ---> **\$8,103.53**

The total of all unsecured debt, including deficiencies is \$8,103.53 with \$486.19 paid to the unsecured creditors.

(H) Kenneth Craig Marks
 (W) Pamela Sue Marks
 (C#) 05-91182

DEBTOR'S PRELIMINARY CHAPTER 13 PLAN

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COMPUTATION OF REQUIRED PLAN PAYMENTS:

	Total Amounts	Total Payments with Interest (Gross amount to be disbursed)
Filing Fees	\$0.00	\$0.00
Noticing Fees	\$14.70	\$14.70
Debtor Attorney Fees	\$1,794.00	\$1,794.00
Home Mortgage Arrears	\$22,773.39	\$28,405.30
Secured Claims	\$15,810.01	\$17,901.28
Priority Claims	\$0.00	\$0.00
Special Class Unsecured Claims	\$0.00	\$0.00
General Unsecured Claims	\$8,103.53	\$486.19
Totals	\$48,495.63	\$48,601.47
With Zero to Unsecureds	\$53,513.81	Trustee Fees \$5,398.53
Base Plan Amount	\$54,000.00	10 % of Total Payments (less filing & noticing fees)
Available for Unsecureds	\$486.19	Total Payments \$54,000.00
Unsecured Percentage Computed on Base Plan Amount	7%	Total distribution + Trustee Fees + Filing & Notice Fees
		Required Periodic Payment to Achieve Unsecured Percentage \$900.00

* See Pro Forma, if attached, for a detail of Pro-Rata and/or Variable payments.

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(H) Kenneth Craig Marks
(W) Pamela Sue Marks
(C#) 05-91182

DEBTOR'S PRELIMINARY CHAPTER 13 PLAN

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a copy of the foregoing PRELIMINARY CHAPTER 13 PLAN was served upon the following parties of interest:

Tim Truman
6851 N. E. Loop 820, Suite 300
N. Richland Hills, TX 76180

and all parties and creditors listed on the original mailing matrix and any amended mailing matrix.

DATED: 10/15/2005

/s/ Jason Miller

Jason Miller

Higgins & Allmand, PC
112 Goliad St.
Benbrook, TX 76126

Phone: (214) 265-0123
Bar Number: 24043824

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

IN RE: §
(H) **Kenneth Craig Marks** § CASE NO: **05-91182**
xxx-xx-8222 §
(W) **Pamela Sue Marks** §
xxx-xx-0204 §
Debtor(s) §

FOR CLERK'S USE ONLY

CHAPTER 13 PLAN SUMMARY (EXHIBIT "A")

DATED: **12/1/2004**

Petition was filed on **10/3/2005**.

H&W Monthly Take Home Pay: **\$3,195.91** Expenses: **\$2,295.91** Surplus: **\$900.00**

First payment due by: **1/15/2005**.

PLAN PAYMENT: Debtor(s) to pay **\$900.00** per month for **60 months** for a total of **\$54,000.00**.

ADMINISTRATIVE: Total debtor's attorney fees of **\$2,000.00** with **\$1,794.00** through the plan.

Outstanding filing fees of _____ will be paid through the plan.

If applicable, the trustee shall collect noticing fees from the first disbursement in the amount of **\$14.70**.

HOME MORTGAGE:

Regular mortgage payments on all liens to be "Direct" by Debtor beginning **11/1/2005**.

Arrearages are to be paid by the Trustee as follows:

Lien Holder	Total Arrearage	Through MM/DD/YY	Interest Rate	Payment Term	# of Payments	Periodic Payment Amount
Washington Mutual	\$22,773.39		8%	1-60	60	Pro-Rata

SECURED CREDITORS:

Name	Description of Collateral	Scheduled Amount	Value of Collateral	Annual Int. Rate	Term	Periodic Payment Amount
First Investors Servicing Corp	2003 Toyota Camry	\$19,646.79	\$15,810.01	6.5%	1-46	\$389.65
Ford Credit	1998 Chevrolet Silverado	\$12,000.00	\$11,176.00	0%	N/A	Surrender
Washington Mutual	Residence	\$105,000.00	\$102,200.00	0%	N/A	\$1,020.86 (Direct)

EXECUTORY CONTRACTS AND UNEXPIRED LEASES:

Creditor Name	Description of Contract	Election	In Default
(None)			

No

PRIORITY CREDITORS:

Name	Amount Disputed	Scheduled Amount	Annual Int. Rate	Term	Periodic Payment Amount
Higgins & Associates P. C. -Hu	\$0.00	\$1,794.00	0%		First Funds

(H) Kenneth Craig Marks
 (W) Pamela Sue Marks
 (C#) 05-91182

CHAPTER 13 PLAN SUMMARY (EXHIBIT "A")

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SPECIAL CLASS UNSECURED CREDITORS:

Name	Basis for Classification	Scheduled Amount	Annual Int. Rate	Term	Periodic Payment Amount
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GENERAL UNSECURED CREDITORS: Pay approximately 7%.

Name	Disputed	Contingent	Note	Amount
ADT	<input type="checkbox"/>	<input type="checkbox"/>		\$104.00
Chevron	<input type="checkbox"/>	<input type="checkbox"/>		\$300.14
First Investors Servicing Corporation	<input type="checkbox"/>	<input type="checkbox"/>	Deficiency	\$3,836.78
Ford Credit	<input type="checkbox"/>	<input type="checkbox"/>	Deficiency	\$824.00
Frost National Bank	<input type="checkbox"/>	<input type="checkbox"/>		\$156.96
Justice Finance	<input type="checkbox"/>	<input type="checkbox"/>		\$196.00
Providian	<input type="checkbox"/>	<input type="checkbox"/>		\$1,129.63
Sears	<input type="checkbox"/>	<input type="checkbox"/>		\$422.71
Target National Bank	<input type="checkbox"/>	<input type="checkbox"/>		\$540.56
Washington Mutual	<input type="checkbox"/>	<input type="checkbox"/>		\$592.75

Total Unsecured Debt --->

\$8,103.53